

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**ROUNDTABLE'S MOTION
FOR PARTIAL JUDGMENT ON THE PLEADINGS
PURSUANT TO FED. R. CIV. P. 12(C)**

Plaintiff RoundTable Healthcare Partners, L.P. (“RoundTable”) by and through its counsel, and pursuant to Rule 12(c) of the Federal Rules of Civil Procedure, hereby moves for judgment on the pleadings and asks that the Court enter an order: (1) granting the relief requested in Counts I and II of RoundTable’s Complaint, dismissing with prejudice Count I of Angiotech’s Counterclaims, and entering such further and other relief as the Court deems just and appropriate; or (2) entering an order barring Angiotech from offering further proofs in support of its escrow claims beyond those contained in Angiotech’s Notice of Escrow Claim, and entering such further and other relief as the Court deems just and appropriate; or (3) granting the relief requested in Count II of RoundTable’s Complaint, dismissing with prejudice Count I of Angiotech’s Counterclaims to the extent it seeks relief common to Count II of RoundTable’s Complaint, and entering such further and other relief as the Court deems just and appropriate.

In further support of this motion, RoundTable adopts and incorporates by reference its memorandum of law attached hereto.

WHEREFORE, RoundTable prays that this Court grant its motion for judgment on the pleadings and award any further and additional relief the Court deems just and proper.

Dated: August 14, 2008

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of August 2008 I caused to be served a true and correct copy of the foregoing Motion for Partial Judgment on the Pleadings Pursuant to Fed. R. Civ. P. 12(c) upon each of the following via ECF and upon New York counsel via hand-delivery:

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